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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

09/650,355

Applicant(s)

BASSO ET AL.

Examiner

SON P. HUYNH

Art Unit

2424

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1- 8, 10-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1- 8, 10-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/02)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/02/2010 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1-8, 10-28 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues Sezan does not teach or suggest the limitations of "deriving virtual camera scripts and coding hints from the image data and coding the generated video sequence based on the coding hints" as recited in claim 1 no coding of any generated video sequence is described by Sezan (page 9, paragraph 3). This argument is respectfully traversed.

Sezan describes program description comprising index information, key frames, title text, highlight definition, time stamps, individual shots or scenes, etc. derived from image data (see include, but not limited to, col. 4, line 40-col. 5, line 36). Thus, information such as key frames, index information, title text, timestamp, individual shots, motion information, etc. derived from image data in the program description scheme is read on the feature "deriving virtual camera scripts and coding hints from the image data". Sezan further discloses generated video is coded/formatted to play in deferent format, style, times such as displaying 5 minute highlight of the game, displaying only particular segments, or displaying only summary, etc. based on index information, key frame, highlight information, time information, etc. in the program description scheme and/or system description scheme (see include, but not limited to, col. 9, line 34-col. 10, line 65, col. 7, lines 16-48, col. 8, line 30-col. 9, line 26). Thus, Sezan's disclosure is read on coding the generated video sequence based on the coding hints (interpreted as playing or displaying or formatting the video sequence based on index information, key frames, highlight information, time information, individual shots, size, motion, or system information, etc.).

If there is "no coding of any generated video sequence is described by Sezan" as alleged by Applicant, how can the video content is processed, generated, formatted, or transmitted for displaying by a computer based system?

Discussing the question of obviousness of claimed subject matter involving a combination of known elements, KSR Int'l v. Teleflex, Inc., 127 S. Ct. 1727 (2007),

explains: When a work is available in one field of endeavor, design incentives and other market forces can prompt variations of it, either in the same field or a different one. If a person of ordinary skill can implement a predictable variation, § 103 likely bars its patentability. For the same reason, if a technique has been used to improve one device, and a person of ordinary skill in the art would recognize that it would improve similar devices in the same way, using the technique is obvious unless its actual application is beyond his or her skill. *Sakraida [v. AG Pro, Inc., 425 U.S. 273 (1976)]* and *Anderson 's-Black Rock, Inc. v. Pavement Salvage Co., 396 U.S. 57, 163 USPQ 673 (1969)*.

In this case, all the claimed elements are known by the combination of the references as discussed in the previous office action and below. Therefore, it would have been obvious to one of ordinary skill in the art the combine the known elements in order to yield a predicable result as discussed below.

For the reasons given above, rejections on the claims are analyzed as discussed below.

Claims 9 and 29-30 have been canceled.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1- 8, 10-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sezan et al. (US 6,236,395, in view of Chen et al. (US 6,307,550), Jain et al. (US 6,144,375), and further in view of Slezak (US 6,006,257).

Note: application Ser. No. 09/008272 (hereinafter referred to as '272) is incorporated by reference in Jain (see Jain: col. 1, lines 6-9). All documents incorporated by reference in Jain are treated as part of the description of Jain.

Regarding claim 1, Sezan teaches a method for generating a customized coded video sequence based on a subscriber's input (user information scheme and system description scheme— figure 1 and col. 5, line 37-col. 6, line 22), comprising:

receiving multimedia input including still images that includes viewer-specific image data (receiving multimedia input 38 and/or in tape that includes image data selected/desired by viewer – see include, but not limited to, figure 2, col. 9, line 50-col. 10, line 37 and discussion in "Response to Arguments" above);

extracting image data from the multimedia input (by audiovisual program analysis module 42 –see include, but not limited to, figure 2 and col. 8, lines 10-29, col. 9, line 50-col. 10, line 37);

deriving virtual camera scripts and coding hint from the image data (program description scheme – col. 4, line 40-col. 5, line 35, col. 12, lines 28-47 and discussed in "response to arguments" above); wherein the virtual camera scripts specify a variable assigned to one piece of the viewer-specific image data (scripts/information in program

descriptions comprising frames information that assigned to each frame/image desired by the user so that only desired image data such as image of a glimpse of crying baby, images associated with highlights of a games are located and displayed –see col. 8, lines 30-55, col. 9, line 45-col. 10, line 37 and discussion in "response to arguments" in previous office action).

Sezan further discloses providing multimedia data based on a combination of a program description scheme, a user description scheme and a system description scheme (figures 1-2 and col. 29, lines 7-45). Necessarily, the method comprising: generating a video sequence based on the subscriber's input (user description scheme), the extracted image data, and the derived virtual camera scripts and coding hints (program description scheme and system description scheme);

coding the generated video sequence based on the coding hints (e.g. repackaging or playing or formatting the content and description schemes in different styles, times, and formats based on system capabilities and/or information in the program description scheme– col. 7, lines 30-49 and discussion in "response to arguments" above);

outputting the customized coded video sequence to an output device as a multimedia presentation (e.g. outputting user selected video sequence on display 80-figure 2). Sezan also discloses program 38 may originate at any suitable source, such as digital video disc, still images, video cameras, video tape, etc. (col. 7, lines 56-67). However, Sezan does not explicitly disclose multimedia input from the subscriber, derived virtual camera script comprises a set of image processing instructions that

simulates selected camera movement over portions of the still images, inserting a customized advertisement during the multimedia presentation, wherein the inserted customized advertisement includes an offer of an award to a user contingent, at least partly, on a user interaction with the customized advertisement.

Chen discloses multimedia input from subscriber including a plurality of still images, and deriving virtual camera scripts from the image data (col. 2, lines 1-55, and col. 5, lines 6-30). Chen also discloses viewer-specific image data (image data associated with wedding, parties, vacations, real estate tours, etc. – col. 2, lines 14-36); and virtual camera scripts specify a variable assigned to one piece of the viewer-specific image data (user index the individual photographs of video albums, or text annotations generated for video based on corresponding audio track, etc. see include, but not limited to, col. 2, lines 14-55).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sezan to use the teaching as taught by Chen in order to yield predictable results such as to provide multimedia input from subscriber to an output device thereby improve efficiency in multimedia data generating.

Neither Sezan nor Chen explicitly discloses derived virtual camera script comprises a set of image processing instructions that simulates selected camera movement over portions of the still images, inserting a customized advertisement during the multimedia presentation, wherein the inserted customized advertisement includes

an offer of an award to a user contingent, at least partly, on a user interaction with the customized advertisement.

Jain discloses derived virtual camera scripts comprises a set of image processing instructions that simulates selected camera movement over portions of the still images (e.g., virtual camera scripts comprises a set image processing instructions such as marking highlights, time, 3D snapshot, best view camera, camera position, etc. that simulates selected camera movement (such as best view camera or selected camera) over portions of still images so that the user can select on particular icon/instructions on the screen to display images associated with selected camera at selected location - see include, but are not limited to, figures 5-9, col. 7, lines 1-43, col. 15, lines 21-34, col. 16, lines 3-47, , col. 18, lines 50 - col. 20, line 31; col. 22, lines 15-67, col. 23, lines 18-56, col. 24, line 10-col. 25, line 56, col. 26, lines 35-62, col. 27, lines 14-62, col. 28, line 49-col. 29, line 32, col. 30, line 43-col. 31, line 5; '272: figures 1b-17). Jain also discloses coding generated video sequence based on the coding hints (coding, playing the video sequence based on coding hints including key frame, index information, highlight, time, etc. - see include, but not limited to, figures 3-9, col. 21, lines 1-14, col. 11, lines 1-14, col. 22, lines 43-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sezan with the teaching as taught by Jain in order to yield a predictable result such as to allow the user/viewer to easily and flexibly interact with a fully linked video, audio and data database in an intuitive and

straightforward manner (see col. 4, lines 50-60) or to allow user to locate desired images of selected camera easily.

Sezan does not explicitly disclose inserting a customized advertisement during the multimedia presentation, wherein the inserted customized advertisement includes an offer of an award to a user contingent, at least partly, on a user interaction with the customized advertisement.

Slezak discloses outputting the customized coded video sequence to an output device as a multimedia presentation (outputting customized primary programming and secondary programming i.e. advertising to TV 502 as multimedia presentation (col. 2, lines 23-52, figure 1);

Slezak also discloses once the user selected to view the movie with secondary programming, customized secondary programming (advertising) is inserted/interleaved during the movie/primary program presentation— see col. 2, lines 15-52, col. 4, lines 15-29, col. 6, lines 38-45). Thus, the limitation “inserting a customized advertisement during the multimedia presentation” is interpreted as interleaving customized secondary programming (i.e. advertising) during the movie/primary program presentation.

Slezak further discloses the advertisement can be change based upon viewer's response to the questions presented during the interactive advertising. The secondary programming can be an interactive presentation requesting input from the viewer. For example, the viewer could be prompted to indicate whether, in fact, the viewer desires to see the secondary programming (i.e., advertising). The user response to the message whether the viewer wishes to receive the movie for free, with a lot of

advertising, for half the price with minimal advertising, or for full price with no advertising. Further, the overlay processing unit can be used during the advertising programming segments to take an order for the advertised product, request input from the viewer regarding the viewer's responses to the advertising, the desirability for further advertising regarding the product shown during the advertising radio programming, or other demographic information. The secondary video programming can also be contingent upon commands received from the set top unit – see include, but are not limited to, col. 4, lines 5-34, col. 8, lines 17-45, col. 9, line 36-43, col. 10, line 19-20). Therefore, the limitation “the inserted customized includes an offer of an award to a user contingent, at least partly, on a user interaction with the customized advertisement” is interpreted as the customized secondary programming includes an offer of an award (half price of the charge or no charge or any reduced cost) to the viewer contingent, at least partly, on any of user interaction with the customized secondary programming such as the viewer input that the viewer wishes to view the secondary programming, viewer request secondary programming, or user response to the advertising. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sezan in view of Chen and further in view of Jain with the teaching as taught by Slezak in order yield predictable results such as to improve efficiency in advertising.

Regarding claim 2, Sezan in view of Chen, Jain and Slezak discloses a method as discussed in the rejection of claim 1. Sezan further teaches receiving preference information from one of the subscriber (col. 5, line 36-col. 6, line 22); storing the preference information in a subscriber profile (e.g. user information 48, system information 46 – figures 1- 2 and col. 8, lines 60-67); and generating the video sequence based on the subscriber's profile (output video based on user description scheme and system description scheme– col. 8, lines 30-67). Please see also Jain (col. 12, line 65-col. 13, line 47, col. 16, line 61-col. 18, line 67, figures 3-9) for these teachings.

Regarding claim 3, Sezan in view of Chen, Jain, and Slezak discloses a method as discussed in the rejection of claim 2. Sezan further discloses the user description scheme includes user's personal preferences, device setting history, etc. (col. 5, lines 36-46). The system description scheme manages the individual programs and other data; The management may include the capabilities of a device for providing the audio, video, and/or images. Such capabilities may include, for example, screen size, stereo, DTS, color, etc. (col. 6, lines 22-37). Thus, the subscriber profile includes device characteristics. (Please see also Jain, figures 3-9, col. 17, lines 1-47, col. 23, lines 1-67) for this teaching.

Regarding claim 4, Sezan in view of Chen, Jain, and Slezak discloses a method as discussed in the rejection of claim 3. Sezan further discloses user description scheme

includes device setting history (col. 5, lines 36-46, col. 11, lines 14-22). Necessarily, the format settings include at least one of text font setting, text style setting, and display settings. Jain also discloses this feature (see col. 17, lines 1-47).

Regarding claim 5, Sezan in view of Chen, Jain, and Slezak discloses a method as discussed in the rejection of claim 3. Sezan further teaches the coding preferences (e.g. key frames, segment definitions between shots, etc. col. 4, line 40-col. 5, line 35) are used as coding hints and include at least one of audio coding preferences and visual coding preferences (col. 4, line 40-col. 5, line 35).

Regarding claim 6, Sezan in view of Chen Jain and Slezak discloses a method as discussed in the rejection of claim 3. Sezan further discloses user description scheme includes user's viewing history such as for example browsing history, filtering history, searching history, device setting history, etc. The user's personal preferences include personal information about the particular user, such as demographic and geographic information; program interest to user, viewing habit of the user, display contrast and volume control, etc. (col. 11, lines 7-22). Necessarily, the handicap settings include at least one of visual enhancement settings and audio enhancement setting (for example, the user set to display closed caption, display information of interest program, level of volume, etc.). Jain also discloses this feature (col. 17, lines 1-47).

Regarding claim 7, Sezan in view of Chen, Jain, and Slezak discloses a method as discussed in the rejection of claim 3. Sezan further discloses the user description scheme may include radio station preselected frequencies and/or types of stations (col. 7, lines 5-10). The program 38 may originate at any suitable source, such as Internet broadcast, World Wide Web, laser disc, digital video disc, etc. (col. 7, line 56-col. 8, line 3). Necessarily, the storage address of image data include at least one of computer image file, an image database, a Web page address, a URL, a floppy disk, a CD ROM.

Regarding claim 8, Sezan in view of Chen Jain and Slezak teaches a method as discussed in the rejection of claim 2. Chen further discloses the user may be prompted to pay a fee for initial processing, a fee for each still image selected, or a combination of an initial processing and an image selection fee (col. 3, lines 1-7). Apparently, the subscriber's profile includes billing information. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sezan to use the teaching as further taught by Chen in order to give user more convenience.

Regarding claim 10, Sezan in view of Chen, Jain, and Slezak teaches a method as discussed in the rejection of claim 2. Chen further discloses the coded video sequence output includes one or more images based on the storage addresses of image data from the subscriber's profile (figure 7 and col. 2, lines 15-36).

Regarding claim 11, Sezan in view of Chen, Jain, and Slezak teaches a method as discussed in the rejection of claim 2. Sezan further discloses the user start interacting with the system with a pointer or voice commands to indicate a desire to view a program (col. 9, lines 53-67). Necessarily, the subscriber provides multimedia data input and preference information to the input unit using at least one of an interactive voice response system, voice recognition system, a keyboard, a personal computer, a wireless communication device.

Regarding claim 12, Sezan further discloses the system description scheme includes capabilities of the device (col. 6, lines 23-37). Thus, the subscriber's profile includes information about the display devices owned by the subscriber.

Regarding claim 13, Sezan further teaches the coded video sequence output is customized for at least one of the devices included in the subscriber's profile (col. 7, lines 30-45).

Regarding claim 14, Sezan discloses the generation module 44 and the analysis module 42 provide data to a data storage unit 50 (col. 9, lines 5-8). The selections of the desired program(s) to be retrieved, stored, and/or viewed may be programmed (col. 9, lines 20-22). Thus, the extracted image data is stored in an image data database (e.g. database in storage unit 50). Sezan further discloses the program related information may be extracted from the data stream including the program 38 or obtained from any

other source, such as for example data transferred over a telephone line, data already transferred to the system 16 in the past, or data from an associated file. However, Sezan does not specifically disclose storing virtual camera scripts in a virtual camera scripts database, coding hints in a coding hints database. Official Notice is taken that storing different data in different database is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sezan in view of Chen, Jain, and Slezak to use the well-known teaching in the art of storing data in different database in order to yield predictable results such as to efficiently manage the data.

Regarding claim 15, Sezan discloses the selections of the desired program(s) to be retrieved, stored, and/or viewed may be programmed, through a graphical user interface (col. 9, lines 20-25). The user starts interacting with the system with a pointer or voice commands to indicate a desire to view recorded sporting programs (col. 9, lines 54-67). Thus, the method comprising receiving one or more input commands from a user, wherein at least one of the steps of extracting, deriving, generating, coding and outputting are performed based on the user's input commands.

Regarding claim 16, Sezan teaches the image data include image data from at least one of images, a series of still frames, panorama images, web pages (figure 2 and col. 7, lines 55-67).

Regarding claim 17, Sezan discloses the program views defines logical structures of the frames of a video that define how the video frames are potentially to be viewed suitable for efficiency browsing. The program profiles define distinctive characteristics of the content of the program (col. 4, line 40-col. 5, line 30). Thus, the virtual camera scripts include at least one of a sliding window of resolution, a document browsing simulation, a general composition of images, and synthesized videos from a set of images, a panorama synthesis, and parallax techniques.

Regarding claim 18, Sezan disclose individual shot of scenes, a key frame view as a part of a program providing multiple levels of summary ranging from coarse to fine. The program profile includes texture profile, shape profile, motion profile, etc. (col. 4, line 40-col. 5, line 36). Program description scheme of a particular program and system description scheme of the viewing system are utilized to present the appropriate views to the viewing system. The content provider repackages the content and description scheme in different styles, time, formats, etc. based on the system capabilities (col. 7, lines 16-49). Necessarily, the coding hints include at least one of motion information used to generate a sequence of frames, temporal evolution of each frame, and coding parameters for each image.

Regarding claim 19, Sezan discloses the content is generated in the format, styles, time, rendering, etc. based on system capabilities such as screen size, color, etc., program description and user description (col. 6, line 23-col. 7, line 49). Furthermore,

Chen discloses analyzing the processed sequence of video frames to identify sub-frame motions between the frames. The user can zoom in or out on different regions of the image, pan about a panoramic image or combination of pan and zoom (col. 8, lines 10-43). Necessarily, the generating step uses a rendering plug in to decode portions of the image data into pixel maps.

Regarding claim 20, Sezan teaches the generating step uses addresses (sources of program, types of stations, etc. col. 4, line 40-col. 5, line 32, col. 7, lines 5-67) to generate an image sequence. Jain also discloses this feature (see include, but are not limited to, figures 7-9, col. 28, line 49-col. 29, line 61).

Regarding claim 21, Sezan discloses program 38 may originate at any suitable source, such as for example Internet broadcasts, world wide web, etc. (col. 7, lines 55-67). Necessarily, the addresses include URLs (for access to world wide web).

Regarding claim 22, Sezan teaches the generating step generates the video sequence from more than one multimedia source (figure 2 and col. 7, lines 50-67).

Regarding claim 23, Sezan teaches the multimedia sources include at least one of television, cable TV, Interactive TV, Internet, telephone, computer generated images, wireless communications, photographs and electronically stored still images (figure 2 and col. 7, lines 50-67).

Regarding claim 24, Chen further teaches receiving an audio input (audio track) corresponding to the generated video sequence (col. 5, lines 5-22).

Regarding claim 25, Chen teaches synchronizing the audio input with the generated video sequence (col. 5, lines 5-22).

Regarding claim 26, Sezan in view of Chen, Jain and Slezak teaches a method as discussed in the rejection of claim 1. Chen further discloses the video is input from subscriber and stored in storage before it is retrieved to process (col. 2, lines 15-36). Text annotations of the video may be generated automatically based on the corresponding audio track (col. 2, lines 46-48, col. 5, lines 3-9). The sound icon may be associated with the images in the video album. When a viewer clicks the sound icon 55, a portion of the audio track that corresponds to the video segment used to generate still image is played (col. 5, lines 9-22). Necessarily, the audio input is received from the subscriber, the audio input stored as at least one of a computer file and an address; the subscriber's audio input is stored in the subscriber's profile; the subscriber's audio input is retrieved; and subscriber's audio input is output in conjunction with the generated video sequence.

Regarding claim 27, Sezan in view of Chen, Jain and Slezak teaches a method as discussed in the rejection of claim 1. Chen further teaches the coded video sequence is

output using scrolling techniques (col. 5, lines 23-37). Therefore, it would have been obvious to one of ordinary skill in the art to modify Sezan in view of Chen, Jain, and Slezak to use the teaching as further taught by Chen in order to improve convenience to user.

Regarding claim 28, Slezak discloses inserting customized advertisement during the multimedia presentation as discussed in the rejection of claim 1. Slezak further discloses the inserted customized advertisement is personalized to a user (based on user preferences such as user demographics and shopping references – col. 3, line 45- col. 4, line 48; col. 6, line 40-46).

5. Claims 1- 8, 10-28 are alternatively rejected under 35 U.S.C. 103(a) as being unpatentable over Sezan et al. (US 6,236,395, in view of Chen et al. (US 6,307,550), Goldberg et al. (US 5,963,203), and further in view of Slezak (US 6,006,257).

Regarding claim 1, Sezan teaches a method for generating a customized coded video sequence based on a subscriber's input (user information scheme and system description scheme— figure 1 and col. 5, line 37-col. 6, line 22), comprising:

receiving multimedia input including still images that includes viewer-specific image data (receiving multimedia input 38 and/or in tape that includes image data selected/desired by viewer – see include, but not limited to, figure 2, col. 9, line 50-col. 10, line 37 and discussion in "Response to Arguments" above);

extracting image data from the multimedia input (by audiovisual program analysis module 42 –see include, but not limited to, figure 2 and col. 8, lines 10-29, col. 9, line 50-col. 10, line 37);

deriving virtual camera scripts and coding hint from the image data (program description scheme – col. 4, line 40-col. 5, line 35, col. 12, lines 28-47 and discussed in “response to arguments” above); wherein the virtual camera scripts specify a variable assigned to one piece of the viewer-specific image data (scripts/information in program descriptions comprising frames information that assigned to each frame/image desired by the user so that only desired image data such as image of a glimpse of crying baby, images associated with highlights of a games are located and displayed –see col. 8, lines 30-55, col. 9, line 45-col. 10, line 37 and discussion in “response to arguments” in previous office action).

Sezan further discloses providing multimedia data based on a combination of a program description scheme, a user description scheme and a system description scheme (figures 1-2 and col. 29, lines 7-45). Necessarily, the method comprising: generating a video sequence based on the subscriber’s input (user description scheme), the extracted image data, and the derived virtual camera scripts and coding hints (program description scheme and system description scheme);

coding the generated video sequence based on the coding hints (e.g. repackaging or playing or formatting the content and description schemes in different styles, times, and formats based on system capabilities and/or information in the

program description scheme— col. 7, lines 30-49 and discussion in "response to arguments" above);

outputting the customized coded video sequence to an output device as a multimedia presentation (e.g. outputting user selected video sequence on display 80-figure 2). Sezan also discloses program 38 may originate at any suitable source, such as digital video disc, still images, video cameras, video tape, etc. (col. 7, lines 56-67). However, Sezan does not explicitly disclose multimedia input from the subscriber, derived virtual camera script comprises a set of image processing instructions that simulates selected camera movement over portions of the still images, inserting a customized advertisement during the multimedia presentation, wherein the inserted customized advertisement includes an offer of an award to a user contingent, at least partly, on a user interaction with the customized advertisement.

Chen discloses multimedia input from subscriber including a plurality of still images, and deriving virtual camera scripts from the image data (col. 2, lines 1-55, and col. 5, lines 6-30). Chen also discloses viewer-specific image data (image data associated with wedding, parties, vacations, real estate tours, etc. — col. 2, lines 14-36); and virtual camera scripts specify a variable assigned to one piece of the viewer-specific image data (user index the individual photographs of video albums, or text annotations generated for video based on corresponding audio track, etc. see include, but not limited to, col. 2, lines 14-55).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sezan to use the teaching as taught by Chen in order to yield predictable results such as to provide multimedia input from subscriber to an output device thereby improve efficiency in multimedia data generating.

Neither Sezan nor Chen explicitly discloses derived virtual camera script comprises a set of image processing instructions that simulates selected camera movement over portions of the still images, inserting a customized advertisement during the multimedia presentation, wherein the inserted customized advertisement includes an offer of an award to a user contingent, at least partly, on a user interaction with the customized advertisement.

Goldberg discloses derived virtual camera scripts comprises a set of image processing instructions that simulates selected camera movement over portions of the still images (see include, but not limited to, figures 1-9, col. 4, line 19-col. 6, line 15, col. 6, lines 65-67, col. 8, lines 19-55, col. 13, lines 1-65). Goldberg also discloses coding generated video sequence based on the coding hints (coding, playing the video sequence based on coding hints including frame number, direction, root image, etc. see include, but not limited to, col. 4, line 19-col. 6, line 15, col. 6, lines 65-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sezan with the teaching as taught by Goldberg in order to yield a predictable result such as to allow the user/viewer to easily locate desired images of selected camera easily.

Sezan does not explicitly disclose inserting a customized advertisement during the multimedia presentation, wherein the inserted customized advertisement includes an offer of an award to a user contingent, at least partly, on a user interaction with the customized advertisement.

Slezak discloses outputting the customized coded video sequence to an output device as a multimedia presentation (outputting customized primary programming and secondary programming i.e. advertising to TV 502 as multimedia presentation (col. 2, lines 23-52, figure 1);

Slezak also discloses once the user selected to view the movie with secondary programming, customized secondary programming (advertising) is inserted/interleaved during the movie/primary program presentation— see col. 2, lines 15-52, col. 4, lines 15-29, col. 6, lines 38-45). Thus, the limitation “inserting a customized advertisement during the multimedia presentation” is interpreted as interleaving customized secondary programming (i.e. advertising) during the movie/primary program presentation.

Slezak further discloses the advertisement can be change based upon viewer's response to the questions presented during the interactive advertising. The secondary programming can be an interactive presentation requesting input from the viewer. For example, the viewer could be prompted to indicate whether, in fact, the viewer desires to see the secondary programming (i.e., advertising). The user response to the message whether the viewer wishes to receive the movie for free, with a lot of advertising, for half the price with minimal advertising, or for full price with no advertising. Further, the overlay processing unit can be used during the advertising

programming segments to take an order for the advertised product, request input from the viewer regarding the viewer's responses to the advertising, the desirability for further advertising regarding the product shown during the advertising radio programming, or other demographic information. The secondary video programming can also be contingent upon commands received from the set top unit – see include, but are not limited to, col. 4, lines 5-34, col. 8, lines 17-45, col. 9, line 36-43, col. 10, line 19-20). Therefore, the limitation "the inserted customized includes an offer of an award to a user contingent, at least partly, on a user interaction with the customized advertisement" is interpreted as the customized secondary programming includes an offer of an award (half price of the charge or no charge or any reduced cost) to the viewer contingent, at least partly, on any of user interaction with the customized secondary programming such as the viewer input that the viewer wishes to view the secondary programming, viewer request secondary programming, or user response to the advertising. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sezan in view of Chen and further in view of Goldberg with the teaching as taught by Slezak in order yield predictable results such as to improve efficiency in advertising.

Regarding claim 2, Sezan in view of Chen, Goldberg and Slezak discloses a method as discussed in the rejection of claim 1. Sezan further teaches receiving preference information from one of the subscriber (col. 5, line 36-col. 6, line 22);

storing the preference information in a subscriber profile (e.g. user information 48, system information 46 – figures 1- 2 and col. 8, lines 60-67); and generating the video sequence based on the subscriber's profile (output video based on user description scheme and system description scheme– col. 8, lines 30-67).

Regarding claim 3, Sezan in view of Chen, Goldberg, and Slezak discloses a method as discussed in the rejection of claim 2. Sezan further discloses the user description scheme includes user's personal preferences, device setting history, etc. (col. 5, lines 36-46). The system description scheme manages the individual programs and other data; The management may include the capabilities of a device for providing the audio, video, and/or images. Such capabilities may include, for example, screen size, stereo, DTS, color, etc. (col. 6, lines 22-37). Thus, the subscriber profile includes device characteristics.

Regarding claim 4, Sezan in view of Chen, Goldberg, and Slezak discloses a method as discussed in the rejection of claim 3. Sezan further discloses user description scheme includes device setting history (col. 5, lines 36-46, col. 11, lines 14-22). Necessarily, the format settings include at least one of text font setting, text style setting, and display settings.

Regarding claim 5, Sezan in view of Chen, Goldberg, and Slezak discloses a method as discussed in the rejection of claim 3. Sezan further teaches the coding preferences (e.g.

key frames, segment definitions between shots, etc. col. 4, line 40-col. 5, line 35) are used as coding hints and include at least one of audio coding preferences and visual coding preferences (col. 4, line 40-col. 5, line 35).

Regarding claim 6, Sezan in view of Chen Goldberg and Slezak discloses a method as discussed in the rejection of claim 3. Sezan further discloses user description scheme includes user's viewing history such as for example browsing history, filtering history, searching history, device setting history, etc. The user's personal preferences include personal information about the particular user, such as demographic and geographic information; program interest to user, viewing habit of the user, display contrast and volume control, etc. (col. 11, lines 7-22). Necessarily, the handicap settings include at least one of visual enhancement settings and audio enhancement setting (for example, the user set to display closed caption, display information of interest program, level of volume, etc.).

Regarding claim 7, Sezan in view of Chen, Goldberg, and Slezak discloses a method as discussed in the rejection of claim 3. Sezan further discloses the user description scheme may include radio station preselected frequencies and/or types of stations (col. 7, lines 5-10). The program 38 may originate at any suitable source, such as Internet broadcast, World Wide Web, laser disc, digital video disc, etc. (col. 7, line 56-col. 8, line 3). Necessarily, the storage address of image data include at least one of computer image file, an image database, a Web page address, a URL, a floppy disk, a CD ROM.

Regarding claim 8, Sezan in view of Chen Goldberg and Slezak teaches a method as discussed in the rejection of claim 2. Chen further discloses the user may be prompted to pay a fee for initial processing, a fee for each still image selected, or a combination of an initial processing and an image selection fee (col. 3, lines 1-7). Apparently, the subscriber's profile includes billing information. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sezan to use the teaching as further taught by Chen in order to give user more convenience.

Regarding claim 10, Sezan in view of Chen, Goldberg, and Slezak teaches a method as discussed in the rejection of claim 2. Chen further discloses the coded video sequence output includes one or more images based on the storage addresses of image data from the subscriber's profile (figure 7 and col. 2, lines 15-36).

Regarding claim 11, Sezan in view of Chen, Goldberg, and Slezak teaches a method as discussed in the rejection of claim 2. Sezan further discloses the user start interacting with the system with a pointer or voice commands to indicate a desire to view a program (col. 9, lines 53-67). Necessarily, the subscriber provides multimedia data input and preference information to the input unit using at least one of an interactive voice response system, voice recognition system, a keyboard, a personal computer, a wireless communication device.

Regarding claim 12, Sezan further discloses the system description scheme includes capabilities of the device (col. 6, lines 23-37). Thus, the subscriber's profile includes information about the display devices owned by the subscriber.

Regarding claim 13, Sezan further teaches the coded video sequence output is customized for at least one of the devices included in the subscriber's profile (col. 7, lines 30-45).

Regarding claim 14, Sezan discloses the generation module 44 and the analysis module 42 provide data to a data storage unit 50 (col. 9, lines 5-8). The selections of the desired program(s) to be retrieved, stored, and/or viewed may be programmed (col. 9, lines 20-22). Thus, the extracted image data is stored in an image data database (e.g. database in storage unit 50). Sezan further discloses the program related information may be extracted from the data stream including the program 38 or obtained from any other source, such as for example data transferred over a telephone line, data already transferred to the system 16 in the past, or data from an associated file. However, Sezan does not specifically disclose storing virtual camera scripts in a virtual camera scripts database, coding hints in a coding hints database. Official Notice is taken that storing different data in different database is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sezan in view of Chen, Goldberg, and Slezak to use the well-known teaching

in the art of storing data in different database in order to yield predictable results such as to efficiently manage the data.

Regarding claim 15, Sezan discloses the selections of the desired program(s) to be retrieved, stored, and/or viewed may be programmed, through a graphical user interface (col. 9, lines 20-25). The user starts interacting with the system with a pointer or voice commands to indicate a desire to view recorded sporting programs (col. 9, lines 54-67). Thus, the method comprising receiving one or more input commands from a user, wherein at least one of the steps of extracting, deriving, generating, coding and outputting are performed based on the user's input commands.

Regarding claim 16, Sezan teaches the image data include image data from at least one of images, a series of still frames, panorama images, web pages (figure 2 and col. 7, lines 55-67).

Regarding claim 17, Sezan discloses the program views defines logical structures of the frames of a video that define how the video frames are potentially to be viewed suitable for efficiency browsing. The program profiles define distinctive characteristics of the content of the program (col. 4, line 40-col. 5, line 30). Thus, the virtual camera scripts include at least one of a sliding window of resolution, a document browsing simulation, a general composition of images, and synthesized videos from a set of images, a panorama synthesis, and parallax techniques.

Regarding claim 18, Sezan disclose individual shot of scenes, a key frame view as a part of a program providing multiple levels of summary ranging from coarse to fine. The program profile includes texture profile, shape profile, motion profile, etc. (col. 4, line 40-col. 5, line 36). Program description scheme of a particular program and system description scheme of the viewing system are utilized to present the appropriate views to the viewing system. The content provider repackages the content and description scheme in different styles, time, formats, etc. based on the system capabilities (col. 7, lines 16-49). Necessarily, the coding hints include at least one of motion information used to generate a sequence of frames, temporal evolution of each frame, and coding parameters for each image.

Regarding claim 19, Sezan discloses the content is generated in the format, styles, time, rendering, etc. based on system capabilities such as screen size, color, etc., program description and user description (col. 6, line 23-col. 7, line 49). Furthermore, Chen discloses analyzing the processed sequence of video frames to identify sub-pixel motions between the frames. The user can zoom in or out on different regions of the image, pan about a panoramic image or combination of pan and zoom (col. 8, lines 10-43). Necessarily, the generating step uses a rendering plug in to decode portions of the image data into pixel maps.

Regarding claim 20, Sezan teaches the generating step uses addresses (sources of program, types of stations, etc. col. 4, line 40-col. 5, line 32, col. 7, lines 5-67) to generate an image sequence.

Regarding claim 21, Sezan discloses program 38 may originate at any suitable source, such as for example Internet broadcasts, world wide web, etc. (col. 7, lines 55-67). Necessarily, the addresses include URLs (for access to world wide web).

Regarding claim 22, Sezan teaches the generating step generates the video sequence from more than one multimedia source (figure 2 and col. 7, lines 50-67).

Regarding claim 23, Sezan teaches the multimedia sources include at least one of television, cable TV, Interactive TV, Internet, telephone, computer generated images, wireless communications, photographs and electronically stored still images (figure 2 and col. 7, lines 50-67).

Regarding claim 24, Chen further teaches receiving an audio input (audio track) corresponding to the generated video sequence (col. 5, lines 5-22).

Regarding claim 25, Chen teaches synchronizing the audio input with the generated video sequence (col. 5, lines 5-22).

Regarding claim 26, Sezan in view of Chen, Goldberg and Slezak teaches a method as discussed in the rejection of claim 1. Chen further discloses the video is input from subscriber and stored in storage before it is retrieved to process (col. 2, lines 15-36).

Text annotations of the video may be generated automatically based on the corresponding audio track (col. 2, lines 46-48, col. 5, lines 3-9). The sound icon may be associated with the images in the video album. When a viewer clicks the sound icon 55, a portion of the audio track that corresponds to the video segment used to generate still image is played (col. 5, lines 9-22). Necessarily, the audio input is received from the subscriber, the audio input stored as at least one of a computer file and an address; the subscriber's audio input is stored in the subscriber's profile; the subscriber's audio input is retrieved; and subscriber's audio input is output in conjunction with the generated video sequence.

Regarding claim 27, Sezan in view of Chen, Goldberg and Slezak teaches a method as discussed in the rejection of claim 1. Chen further teaches the coded video sequence is output using scrolling techniques (col. 5, lines 23-37). Therefore, it would have been obvious to one of ordinary skill in the art to modify Sezan in view of Chen, Goldberg, and Slezak to use the teaching as further taught by Chen in order to improve convenience to user.

Regarding claim 28, Slezak discloses inserting customized advertisement during the multimedia presentation as discussed in the rejection of claim 1. Slezak further

discloses the inserted customized advertisement is personalized to a user (based on user preferences such as user demographics and shopping references – col. 3, line 45- col. 4, line 48; col. 6, line 40-46).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Asai et al. (US 6,710,785) discloses digital video editing method and system.

Bruckhaus (US 6,052,492) discloses system and method for automatically generating an image to represent a video sequence.

Loveman et al. (US 6,211,869) discloses simultaneous storage and network transmission of multimedia data with video host that requests stored data according to response time from a server.

Montgomery et al. (US 6,380,950) discloses low bandwidth television.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SON P. HUYNH whose telephone number is (571)272-7295. The examiner can normally be reached on 9:00 - 6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S. Kelley can be reached on 571-272-7331. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Son P Huynh/
Primary Examiner, Art Unit 2424

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